

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re)	
)	
John R. Smith and Lynda K. Smith)	Bankruptcy Case No. 23-20103 CMB
)	
Debtors)	
_____)	Doc No. _____
)	
John R. Smith and Lynda K. Smith)	
)	
Movants,)	
)	
V)	
)	
LoanDepot.com, LLC)	
)	
Respondent)	

DECLARATION OF PLAN
SUFFICIENCY FOR MORTGAGE PAYMENT CHANGE

1. Respondent filed a Notice of Mortgage Payment Change (the “Notice”) on November 19, 2024.

2. The Notice indicates that the monthly mortgage payment shall change from \$516.27 to \$512.20 beginning February 1, 2025.

3. The Notice is in error as to the prior monthly payment. The prior monthly payment was \$507.39, because the prior Notice indicated that the monthly mortgage payment would change from \$501.11 to \$507.39 per month, assuming Debtors pay the escrow shortage of \$106.53 in full. The debtors paid the prior \$106.53 escrow shortage in full to Respondent.

4. Nonetheless, undersigned counsel has reviewed the existing Chapter 13 plan and the plan funding and determines that the plan is sufficiently funded to implement the mortgage payment change as indicated in the November 19, 2024 Notice.

5. Debtors request that the Trustee implement the Notice by changing the new total monthly payment amount to \$512.20 beginning with the payment due February 2025.

6. Contemporaneously with the filing of this declaration, the Chapter 13 Trustee and the affected creditor have been served with a copy of this declaration by electronic service.

Name of creditor: LoanDepot.com, LLC

Court claim number: 6 or (____) No claim filed.

Dated: December 3, 2024

/s/ Jana S. Pail
Jana S. Pail (PA ID No. 88910)
Raines, Feldman, Littrell, LLP
11 Stanwix Street, Suite 1100
Pittsburgh, PA 15222
Tel: (412) 400-3833
Email: jpail@Raineslaw.com

Attorney for the Debtors